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Authority's Christiansted Power Plant on the island of St. Croix.

(3) The entire regulation excluding subsection (a)(2) as it applies to the remaining sources on the island of St. Croix.

Subsection (a)(2) of the regulation is not approved as it applies to the remaining sources on St. Croix because of the inadequacy of the control strategy demonstration noted in paragraph (a) of this section. Accordingly, all sources on St. Croix with the exception of the Virgin Islands Water and Power Authority's Christiansted Power Plant are required to conform to the sulfur-in-fuel-oil limitations contained in 12 V.I.R. and R. 9:204-26 as originally submitted to EPA on January 31, 1972.

(c) Reference to "Section (a)(2)" in subsection (d) of 12 V.I.R. and R. 9:204-26, as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976, refers to the following approved limitations: (1) For the islands of St. Thomas and St. John, subsection (a)(2) of section 204-26 as submitted to EPA on January 21, 1976 and as amended and resubmitted to EPA on June 3, 1976; (2) for the island of St. Croix, subsection (a)(2) of section 204-26 as originally submitted to EPA on January 31, 1972 and approved by EPA on May 31, 1972.

[41 FR 28493, July 12, 1976, as amended at 41 FR 55531, Dec. 21, 1976; 43 FR 4016, Jan. 31, 1978; 51 FR 40676, Nov. 7, 1986]

§ 52.2781 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of § 52.26 are hereby incorporated and made a part of the applicable plan for the Virgin Islands.

(c) *Long-term strategy.* The provisions of § 52.29 are hereby incorporated and made part of the applicable plan for the Virgin Islands.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987]

40 CFR Ch. I (7-1-08 Edition)

§ 52.2782 Small business technical and environmental compliance assistance program.

On January 15, 1993, the Virgin Islands Department of Planning and Natural Resources submitted a plan to establish and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program for incorporation in the Virgin Islands state implementation plan. This plan meets the requirements of section 507 of the Clean Air Act, and the U.S. Virgin Islands must implement the program as approved by EPA.

[59 FR 34386, July 5, 1994]

Subpart DDD—American Samoa

§ 52.2820 Identification of plan.

(a) Purpose and scope. This section sets forth the applicable State implementation plan for American Samoa under section 110 of the Clean Air Act, 42 U.S.C. 7401-7671q and 40 CFR part 51 to meet national ambient air quality standards.

(b) Incorporation by reference.

(1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to June 1, 2005, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after June 1, 2005, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region IX certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of June 1, 2005.

(3) Copies of the materials incorporated by reference may be inspected at the Region IX EPA Office at 75 Hawthorne Street, San Francisco, CA 94105; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution

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Avenue, NW., Room B108, Washington, DC; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741-6030,

or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(c) EPA approved regulations.

TABLE 52.2820—EPA APPROVED TERRITORY OF AMERICAN SAMOA REGULATIONS

State citation	Title/subject	Effective date	EPA approval date	Explanation
Air Pollution Control Rules and Regulations				
Section 1.0	Definitions (1.0.1–1.0.18)	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.1	Approval of New Sources: Permit to Operate (1.1.1–1.1.14).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.2	Source Monitoring, Record Keeping, and Reporting (1.2.1–1.2.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.3	Sampling and Testing Methods (1.3.1–1.3.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.4	Malfunction of Equipment; Reporting (1.4.1–1.4.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.5	Prohibition of Air Pollution	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.6	Compliance Schedule (1.6.1, Existing Sources).	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.7	Circumvention	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.8	Severability	6/08/1972	3/02/1976, 41 FR 8956	
Section 1.9	Ambient Air Quality Standards (1.9.1–1.9.2).	6/08/1972	3/02/1976, 41 FR 8956	
Section 2.1	Control of Open Burning	6/08/1972	3/02/1976, 41 FR 8956	
	Control of Particulate Emissions			
Section 3.1	Visible Emissions (3.1.1–3.1.2)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.2	Fugitive Dust (3.2.1–3.2.3)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.3	Incineration (3.3.1–3.3.4)	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.4	Fuel Burning Equipment (3.4.1–3.4.2) ..	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.5	Process Industries—General (3.5.1, 3.5.3–3.5.5).	6/08/1972	3/02/1976, 41 FR 8956	
Table 1	Particulate Emission Allowable Based on Process Weight.	6/08/1972	3/02/1976, 41 FR 8956	
Section 3.6	Sampling Methods (3.6.1)	6/08/1972	3/02/1976, 41 FR 8956	
	Control of Sulfur Compound Emissions			
Section 4.1	Fuel Combustion (4.1.1)	6/08/1972	3/02/1976, 41 FR 8956	

(d) EPA approved State source specific requirements.

Name of source	Permit No.	Effective date	EPA approval date	Explanation
None				

(e) [Reserved]

[70 FR 53566, Sept. 9, 2005]

§ 52.2821 Classification of regions.

The American Samoa plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
American Samoa	III	III	III	III	III

[37 FR 10906, May 31, 1972]

§ 52.2822 Approval status.

With the exceptions set forth in this subpart, the Administrator approves American Samoa's plan for the attainment and maintenance of the national standards.

[39 FR 8617, Mar. 6, 1974]

§ 52.2823 Original identification of plan.

(a) This section identified the original "Implementation Plan for Compliance With the Ambient Air Quality Standards for the Territory of American Samoa" and all revisions submitted by the Territory of American Samoa that were federally approved prior to June 1, 2005.

(b) The plan was officially submitted on January 27, 1972.

(1) Previously approved on May 31, 1972 and now deleted without replacement Chapter 35.01, Section 35.0113 of the Environmental Quality Act.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Revised legal authority submitted on March 9, 1972, by the Environmental Quality Commission.

(2) Letter indicating formal adoption of the implementation plan submitted on March 23, 1972, by the Environmental Quality Commission.

(3) Letter regarding comments on the plan and indicating intent to submit a revised plan submitted on April 28, 1972, by the Environmental Quality Commission.

(4) Formally adopted rules and regulations for the entire Territory submitted on June 8, 1972, by the Environmental Quality Commission.

(5) The following amendments to the plan were submitted on November 22, 1982, by the Governor.

(i) Negative declaration indicating no Lead sources in American Samoa.

[37 FR 10906, May 31, 1972, as amended at 41 FR 8969, Mar. 2, 1976; 50 FR 32698, Aug. 14, 1985; 62 FR 34648, June 27, 1997. Redesignated and amended at 70 FR 53566, Sept. 9, 2005]

§ 52.2824 Review of new sources and modifications.

(a) The requirements of subpart I of this chapter are not met since the Territory of American Samoa failed to submit a plan for review of new or modified indirect sources.

(b) Regulation for review of new or modified indirect sources: The provisions of § 52.22(b) are hereby incorporated by reference and made a part of the applicable implementation plan for the Territory of American Samoa.

[39 FR 8617, Mar. 6, 1974, as amended at 51 FR 40677, Nov. 7, 1986]

§§ 52.2825–52.2826 [Reserved]

§ 52.2827 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of § 52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for American Samoa.

[43 FR 26410, June 19, 1978, as amended at 45 FR 52741, Aug. 7, 1980; 68 FR 11325, Mar. 10, 2003; 68 FR 74491, Dec. 24, 2003]